

September 10, 2002

TO: Local and Intermediate School District Superintendents
Public School Academy Directors

FROM: Thomas D. Watkins, Jr.

SUBJECT: No Child Left Behind Act of 2001 – Summary of Local District Requirements for 2002-03

With the passage of the No Child Left Behind (NCLB) Act of 2001, local education agencies across the country are faced with the tremendous task of ensuring that all children have a fair, equal, and significant opportunity to obtain a high-quality education.

The U.S. Department of Education (USDOE) provides regulations and guidance on parts of the Act as they are completed; however, there remains much to do before the entire Act is completely implemented. The Michigan Department of Education (MDE) held videoconferences and workshops across the state this spring to provide local and intermediate district personnel with the latest information about NCLB and the implications for receiving and using funds. While we await additional information and guidance from the USDOE, the purpose of this letter is to provide you with the information available to date to assist you in implementing the required aspects of NCLB as you begin this school year.

An entire section of the attached summary deals with Title I school buildings that fail to make Adequate Yearly Progress (AYP) for two or more consecutive years. Districts will not be expected to implement these new requirements until receiving the adequate yearly progress report for 2001-02 from MDE. However, it is advised that you regularly refer to the No Child Left Behind section of the MDE website for up-to-date program information. It may be accessed from our home page, <http://www.michigan.gov/mde>.

Attached for your review and distribution is a summary of the new NCLB requirements. Additional updates will continue to occur throughout this year. Regional information sessions will be announced soon and provided by our Office of Field Services consultants. Should you have specific questions about any program requirement, please contact your regional consultant. A list of the regional consultants is attached for your convenience.

The Department of Education has been continuously working with various statewide education groups throughout the NCLB implementation process to solicit input and provide to you the most up-to-date information available.

We realize that all knowledge and wisdom does not originate from Lansing. To that end, we will establish a number of task forces and committees in the near future to ensure that local and intermediate school districts, teachers, principals, parents, and business and educational organizations have their collective voices heard.

We realize that complying with sections of this new law is a little like trying to land an airplane as the runway is being built. We value your continued input and advice as we move forward to implement the spirit and letter of these new federal requirements and strive toward leaving no child behind.

Enclosures

No Child Left Behind Act of 2001

Summary of Local District Requirements for 2002-03

All districts will be responsible for the following:

Communications to the Community:

- Produce annual district and school report cards, as previously required by PA 25, by the beginning of each school year with disaggregated MEAP results, information on other Adequate Yearly Progress (AYP) indicators, and information on Title I schools identified for improvement. (Note: AYP criteria may change at the September State Board meeting. If this occurs, the new criteria will be applied to the 2002 MEAP results and this will be used to determine the status of each Title I school.)
- Provide to the public, through the annual report, and the Michigan Department of Education (MDE) through the Register of Educational Personnel (REP), progress reports on the status of having all teachers “highly qualified” by the end of the 2005-06 school year. (The proposed regulations define “highly qualified” as meeting regular state certification requirements.) Districts must develop a plan to address this requirement.
- In Title I districts, schools must provide notice to parents of their right to know their child’s teachers’ qualifications, and notify them in a timely manner if the child is assigned or taught by a teacher who is not “highly qualified” for 4 or more consecutive weeks. Federal law requires Title I districts to provide notice to parents, but MDE encourages all schools to make this information available.

“Highly Qualified” Staff:

- Beginning in 2002-03, hire only “highly qualified” teachers for Title I, Part A programs.
- If there are teachers in the district who are not “highly qualified,” spend 5% (minimum) to 10% (maximum) of Title I, Part A funds on professional development to help them become “highly qualified.” In addition, Title II funds may be used to support these activities.
- Beginning January 8, 2002, for Title I, Part A, newly hired paraprofessionals must have a secondary school diploma or GED and one of the following: completion of two years of higher education; an associate’s degree or higher; or have met a rigorous standard through a local or state academic assessment. (Further details about a state level assessment will be available in the near future.)
- Paraprofessionals currently employed must meet these new requirements by January 8, 2006.

Persistently Dangerous Schools:

Persistently dangerous schools will be defined by the state; schools will be notified of procedures and responsibilities related to this section of the Act after December 2002.

Limited English Proficient (LEP) Students:

- Include LEP students in state assessments.
- Annually assess the English language proficiency of all LEP students in reading, writing, speaking, and listening, and report data on English language proficiency to MDE. Additional information on assessments will be forthcoming.
- Test LEP students for reading and language arts in English after attending school in the U.S. for 3 consecutive years.

Homeless Students:

- Designate a liaison for students in homeless situations, even if no child in the district is currently considered homeless.
- Provide transportation to and from their school of origin for homeless students, if requested by the parent, so the child can continue his or her educational experience uninterrupted.

NAEP testing:

- Participate in National Assessment of Educational Progress (NAEP) testing if the district receives Title 1 funds and if it is requested to participate in the state sample.

TITLE I, PART A- School Improvement, Corrective Action and Restructuring Requirements:

Schools identified as needing improvement in Michigan ***will not*** be expected to implement the following requirements until they receive further notification. Check the MDE web page for updates at www.michigan.gov/mde.

School Improvement Status

A Title I school is in school improvement status if it fails to make Adequate Yearly Progress (AYP) for 2 consecutive years.

School District Requirements – Buildings in the first year of School Improvement Status

- Must notify parents of school's identification and improvement plan.
- Must use peer review process to assist with review of school improvement plan.
- Must spend at least 10% of the building's Title I allocation each year on professional development to address lack of AYP.
- Must provide students in the identified school the option to transfer to another school in the district that has not been identified for improvement, and must provide or pay for transportation. If space is limited, priority must be given to lowest-achieving students from low-income families).
- Funds for Transportation: Unless a lesser amount is needed, LEA must spend 15% of its Title I allocation for transportation to support the transfer option.

School District Requirements - Buildings in the second year of School Improvement Status (*has not made adequate yearly progress for 3 consecutive years*).

- Must continue to provide the transfer option (on a priority basis).
- Must offer supplemental educational services (priority given to lowest-achieving students – only low-income students eligible) with state-approved providers
- Funds for Transportation and Supplemental Services: Unless a lesser amount is needed, LEA must spend 20% of its Title I allocation as follows:
 - 5% for transportation to support transfer option;
 - 5% for supplemental services;
 - Remaining 10% for transportation, supplemental services, or both.

Corrective Action Status

A Title I school is in Corrective Action Status if it fails to make AYP for 4 consecutive years.

School District Requirements - Buildings in Corrective Action Status

- Must continue to provide transfer option and supplemental services.
- Must take at least one of following actions:
 1. Replace school staff relevant to failure to make AYP.
 2. Implement new curriculum and provide appropriate professional development.
 3. Significantly decrease management authority at school level.
 4. Appoint outside expert to advise school on school improvement plan.
 5. Extend school year or school day for school.
 6. Restructure internal organization of school.
- Must publish information on corrective action taken to public and parents of enrolled students.

Restructuring Status

A Title I school is in Restructuring Status if it fails to make AYP for 5 consecutive years.

School District Requirements - Buildings in Restructuring Status

- Must continue to provide transfer option and supplemental services.
- Must take at least one of following actions:
 1. Reopen school as a charter school.
 2. Replace all or most of school staff relevant to failure to make AYP.
 3. Contract with outside entity to operate school.
 4. Turn operation of school over to state (if state agrees).
 5. Any other major restructuring of school's governance arrangement that makes fundamental reforms.

School District Option to Delay Implementation of Requirements

If a school makes AYP for 1 year, the LEA may delay the transfer option, supplemental services, corrective action or restructuring for 1 year.

These requirements will undoubtedly raise a number of questions about definitions of terms, timelines, and many other implementation issues. Michigan, like every other state in the nation, is continuously working to deal with these new NCLB requirements.

Additional information will be provided to districts as soon as it becomes available. For the foreseeable future, local districts, intermediate districts, and MDE will be engaged in the challenge of responding to NCLB requirements. If you have any questions about the information included in the bulletin, please contact your regional Field Services consultant.

FIELD SERVICES TEAMS		
Team #	Consultant	ISD Contact Person for:
TEAM 1	Barbara Cloudman	Delta-Schoolcraft, Eastern UP, Marquette-Alger
	Bruce Grow	Char-Em, Manistee, TBA
	Gayla Mann	AMA, COOR, COP, Iosco, Wexford-Missaukee
	Sharon Stockero	Copper Country, Dickinson-Iron, Gogebic-Ontonagon, Menominee
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	Bill Kirby	Mason-Lake, Muskegon, Newaygo, Oceana, Ottawa
	Temporary Assignments	Barry, Branch, Calhoun, Ionia, Kalamazoo, Kent, Mecosta-Osceola, Montcalm, St. Joseph
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	Mary Bradley	Huron, Saginaw, Sanilac, Tuscola
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CENTRAL SUPPORT		
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